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S/N 10/639,613

NOV 13 2006

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LI ET AL.	Examiner:	S. Poulos
Serial No.:	10/639,613	Group Art Unit:	1714
Filed:	August 11, 2003	Docket No.:	163.1321USC2
Title:	CONTAINER, SUCH AS A FOOD OR BEVERAGE CONTAINER, LUBRICATION METHOD		

COMBINED TERMINAL DISCLAIMER AND  
CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Petitioner, Ecolab Inc., a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at Ecolab Center, St. Paul, Minnesota 55102, in the county of Ramsey, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/639,613, filed on August 11, 2003, and entitled CONTAINER, SUCH AS A FOOD OR BEVERAGE CONTAINER, LUBRICATION METHOD, by virtue of an assignment recorded at Reel 011189, Frames 0897-0900. A copy of the Assignment is attached.

Petitioner, Ecolab Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of a patent issuing from U.S. Application Serial No. 10/614,474 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to a patent issuing from U.S. Application Serial No. 10/614,474, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of a patent issuing from U.S. Application Serial

No. 10/614,474, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Ecolab Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at Ecolab Center, St. Paul, Minnesota 55102, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: November 9, 2006 By: A. D. S.  
Name: Andrew D. Sorensen  
Title: Chief Patent Counsel